

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 1)**

**O.A. No. 46 of 2023 with M.A. No. 37 of 2023**

**Ex. MWO Naresh Pal**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Memo of Appearance filed by Ms. Deepti Prasad Bajpai, Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Vinay Pandey and Shri Shashi Kant Chaturvedi, Ld. Counsel for the applicant and Ms. Deepti Prasad Bajpai, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension to the applicant.</p> <p>There is a delay of 03 months and 22 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 46 of 2023</u></b></p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on <b>20.03.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 2)**

**O.A. No. 47 of 2023**

**MWO (HFL) Mritunjay Kumar (Retd.)**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Rajiv Pandey, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Madan Pal Vats, Shri Raj Kumar Mishra and Shri Abhay Kant Upadhyay, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension to the applicant.</p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on <b>20.03.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 3)**

**O.A. No. 48 of 2023**

**Ex. WO Vinod Kumar Chaurasia**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p style="text-align: center;">Memo of Appearance filed by Shri Shyam Singh, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p style="text-align: center;">Heard Shri R. Chandra, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This Original Application has been filed for the grant of disability pension to the applicant.</p> <p style="text-align: center;">Case needs adjudication.</p> <p style="text-align: center;">Admit.</p> <p style="text-align: center;">Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p style="text-align: center;">List on <b>20.03.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 4)**

**O.A. No. 49 of 2023 with M.A. No. 40 of 2023**

**WO Suresh Chand Sharma (Retd.)**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Memo of Appearance filed by Ms. Preeti Mala, Advocate on behalf of the respondents is taken on record. Her name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Raj Kumar Mishra and Shri A.K. Chaudhary, Ld. Counsel for the applicant and Ms. Preeti Mala, Ld. Counsel for the respondents.</p> <p>This Original Application has been filed for the grant of disability pension to the applicant.</p> <p>There is a delay of 04 months and 03 days in filing of Original Application.</p> <p>Being a pensionary matter, delay is condoned. Delay condonation application stands disposed off.</p> <p><b><u>O.A. No. 49 of 2023</u></b></p> <p>Case needs adjudication.</p> <p>Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.</p> <p>List on <b>20.03.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 5)**

**O.A. No. 51 of 2023 with M.A. No. 44 of 2023**

**Nk. (Amb. Asst.) Hari Prakash**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Dr. Shailendra Sharma Atal, Advocate appears on behalf of the respondents and files Memo of Appearance which is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Shyam Sunder Bajpai, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents.</p> <p>This application has been filed for condoning delay of 84 days in filing the Original Application for grant of promotion to the rank of Havildar with effect from 05.04.2022.</p> <p>It is submitted by the Ld. Counsel for the applicant that applicant's name was approved for promotion to the rank of Havildar by the Departmental Promotion Committee, however, in the meantime an inquiry was initiated against the applicant wherein punishment of severe reprimand was awarded to him, as a result of which applicant could not be promoted.</p> <p>Per contra, Ld. Counsel appearing for the respondents submits that basically this Original Application has been filed against the order of severe reprimand which Original Application under Section 14 of the Armed Forces Tribunal Act, 2007 is not maintainable.</p> <p>Ld. Counsel for the applicant prays for and is granted a week's time to prepare the case on the point of maintainability of Original Application.</p> <p>List on <b>23.01.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
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**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 6)**

**Ex. A. No. 6 of 2023 Inre : O.A. No. 100 of 2019**

**Ex. Rect. Rahul Kumar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Memo of Appearance filed by Shri Kaushik Chatterjee, Advocate on behalf of the respondents is taken on record. His name be shown as Counsel for the respondents when the case is listed next.</p> <p>Heard Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p>This application has been filed for implementation of order dated 11.11.2021 of this Tribunal in Original Application No. 100 of 2019 by which respondents have been directed to reinstate the applicant in service within a period of four months from the date of production of certified copy of the order.</p> <p>Ld. Counsel for the applicant submits that despite certified copy of the order being produced by the applicant the order has not yet been complied with.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to seek instruction regarding compliance of the order.</p> <p>List on <b>07.03.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 7)**

**Ex. A. No. 55 of 2021 Inre : Ex. A. No. 184 of 2018,**  
**Ex. A. No. 21 of 2020 & Inre : O.A. No. 275 of 2014**

**Ex. (Tel)-I Darshan Kumar Sharma**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p style="text-align: center;">Affidavit of compliance filed by the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri R. Chandra, Advocate holding brief of Shri Yashpal Singh, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents assisted by Shri Rajeev Tiwari, Account Officer, Principal Controller of Defence Accounts (Pension), Prayagraj.</p> <p style="text-align: center;">No objection has been filed against affidavit of compliance.</p> <p style="text-align: center;">We have gone through the affidavit filed by the respondents in compliance of the order and we find that order has been complied with. Execution Application has therefore rendered infructuous and is liable to be dismissed as such.</p> <p style="text-align: center;">Accordingly, Execution Application is <b>dismissed</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 8)**

**Ex. A. No. 83 of 2022 Inre : O.A. No. 495 of 2017**

**Ex. Hav. Ram Naresh Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Shailendra Kumar Singh, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p style="text-align: center;">No objection has been filed against the affidavit of compliance.</p> <p style="text-align: center;">List on <b>16.01.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>



**Form No. 4**  
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**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 9)**

**Ex. A. No. 315 of 2022 Inre : O.A. No. 495 of 2017**

**Ex. WO. Shwet Ban Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Sudhir Kumar Singh, Ld. Counsel for the applicant and Shri Somesh Singh, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents two weeks further time is granted to file affidavit of compliance.</p> <p>List on <b>07.02.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 10)**

**O.A. No. 70 of 2022**

**Ex. MWO Dinesh Kumar Dwivedi**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p style="text-align: center;">On the case being taken up for hearing Shri Abhay Kant Upadhyay, Shri Karuna Kant Upadhyay and Shri Raj Kumar Mishra, Ld. Counsel for the applicant and Shri Sunil Sharma, Ld. Counsel for the respondents are present.</p> <p style="text-align: center;">It is submitted by the Ld. Counsel for the respondents that Counter Affidavit is ready and will be filed in registry within two days.</p> <p style="text-align: center;">List on <b>16.01.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 11)**  
**O.A. No. 188 of 2022**

**Ex. Sgt. Dharam Nath Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record.</p> <p>Heard Shri Manoj Kumar Awasthi, Ld. Counsel for the applicant and Shri Kaushik Chatterjee, Ld. Counsel for the respondents.</p> <p>The applicant has filed the instant Original Application under Section 14 of the Armed Forces Tribunal Act, 2007 for the grant of disability element of disability pension.</p> <p>It is submitted that applicant was enrolled in the Indian Air Force on 01.06.1990 and was discharged from service on 27.10.2008 after rendering 18 years, 04 months and 26 days of service on his own request. It is further submitted that applicant was suffering from disability but Release Medical Exam wrongly assessed the applicant's medical category A4G1.</p> <p>In reply, the Ld. Counsel for the respondents submitted that applicant was discharged from service in medical category "AYE". Although, initially the applicant had suffered from injury Right Little Finger, while playing volleyball on 22.09.2000 and he was placed in medical classification CEE (Temp) (T-24). Later on he was placed in medical classification 'AYE'. He further submitted that Release Medical Exam held at 6 CMU on 23.10.2008, as is done in the case of personnel with medical category A4G1 in which applicant was found in category 'AYE'. Therefore, he is not entitled to disability element of disability pension. He has produced the copy of Release Medical Exam proceedings.</p> <p>In the circumstances when applicant has not been filed any medical document supporting his contention that he was discharged in low medical category and contrarily the respondents have submitted that he (applicant) was discharged in medical category "AYE", we find that applicant's claim for the grant of disability element of disability pension due to being discharged in low medical category is not maintainable.</p> <p>In the result, Original Application is <b>dismissed</b>.</p> <p>Misc. Application, if any, pending for disposal, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No.12)**

**O.A. No. 235 of 2022**

**Air Cmde (Dr.) J.K. Sahu (Retd.)**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Wg. Cdr. S.N. Dwivedi (Retd.), Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents a week's further time is granted to file Counter Affidavit.</p> <p>List on <b>20.01.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 13)**

**O.A. No. 355 of 2022**

**Anurudd S/o Kaptan Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record.</p> <p>Heard Shri Veer Raghav Chaubey, Ld. Counsel for the applicant and Shri R.C. Shukla, Ld. Counsel for the respondents.</p> <p>The applicant has filed instant Original Application under Section 14 of the Armed Forces Tribunal Act, 2007 for issuing direction to the respondents to medically re-examine the applicant from any Medical Board and thereafter give joining to him.</p> <p>It is submitted by the Ld. Counsel for the applicant that the applicant was appeared in Recruitment of Indian Army in the year 2016, 2017 and 2018 ARO, Lucknow and found fit in those recruitments, but due to less merit applicant did not qualify the recruitment. Later applicant appeared in Recruitment of Indian Army on 01.11.2020 from ARO Lucknow and found medically fit and came into the merit. Therefore, joining letter dated 05.12.2020 was issued to the applicant and directed to give joining on 1 STC Jabalpur. Applicant reported in ARO, Lucknow but he was found unfit in Skin and Surgical both categories. Later on applicant was re-examined in Command Hospital, Lucknow in February, 2021 and found fit in Skin category and found unit in Surgical Category. In reply to application preferred under Right to Information Act, the respondents informed the applicant that he was found unfit in Review Medical and disqualified vide letter dated 30.08.2021. The respondents further sent a letter dated 06.09.2021 to the applicant informing him that more than 180 days had elapsed after he was declared medically 'FIT', he was required to undergo re-medical before dispatch. He was medically re-examined on 19.03.2021 by the Recruiting Medical Officer (RMO) and was declared UNFIT. Thereafter, he was referred to Specialist of Command Hospital for review, wherein he was once again declared UNFIT. Hence, his candidature has been cancelled as per rules.</p>

Per contra, Ld. Counsel for the respondents submits that applicant was to be dispatched on 30.12.2020, however, since applicant's verification was not received till then, hence his despatch was re-scheduled to 19.03.2021. As the 180 days for initial medical and extension of 180 days for re-medical was expired on 05.02.2021 the applicant was medically re-examined on 19.03.2021 by the Recruiting Medical Officer and declared UNFIT and applicant was referred to Command Hospital (Central Command), Lucknow for review by the concerned Specialist. As per the Review Board, applicant was declared UNFIT by Classified Specialist (Psychiatrist) of Command Hospital (Central Command), Lucknow for the diagnosis '**MULTIPLE HORIZONTAL TENTATIVE CUTS ON LEFT FORE ARM**'. Cancellation of candidature has been furnished on the medical report received from the concerned classified specialist. In view of the above, the applicant's candidature for enrolment into the Army as Soldier General Duty category was cancelled and vacancy surrendered to Higher Authorities.

Upon hearing submission of Ld. Counsel of both sides and considering the facts and circumstances of the case we find that although initially the applicant was found medically fit for enrolment as such he was placed in merit list, but later on he has been found medically UNFIT for the diagnosis '**MULTIPLE HORIZONTAL TENTATIVE CUTS ON LEFT FORE ARM**'. The applicant has failed to produce any genuine reason for which a direction can be issued to the respondents to medically re-examine the applicant from Medical Board and thereafter give joining to him. The Original Application is liable to be dismissed as such.

Accordingly, Original Application is **dismissed**.

Misc. Application(s), pending if any, shall be treated to have been disposed of.

(Vice Admiral Atul Kumar Jain)  
Member (A)

(Justice Umesh Chandra Srivastava)  
Member (J)

AKD/-

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 14)**

**O.A. No. 446 of 2022**

**Ex. Sub. Ramagya Singh Kushwaha**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi, Advocate holding brief of Wg. Cdr. Ajit Kakkar (Retd.) , Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit as a last chance.</p> <p>List on <b>02.02.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 15)**

**O.A. No. 449 of 2022**

**Ex. JWO Sanjeet Kumar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record.</p> <p>Heard Shri Ved Prakash Pandey and Shri R.K. Singh, Ld. Counsel for the applicant and Shri Rajeev Narayan Pandey, Ld. Counsel for the respondents.</p> <p>Original Application is <b>allowed</b>.</p> <p>For orders, see our order passed on separate sheets.</p> <p>Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>



**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 16)**

**O.A. No. 450 of 2022**

**Ex. Sep /MT Dushyant Pratap Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record. Heard Col. Ravindra Nath Tiwari (Retd.) and Col. H.M. Maheshwari (Retd.), Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p>Original Application is <b>allowed</b>.</p> <p>For orders, see our order passed on separate sheets.</p> <p>Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 17)**

**O.A. No. 463 of 2022 with M.A. No. 525 of 2022**

**Ex. Rect. Kollati Kanaka Rao**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Dharam Raj Singh, Shri Arvind K. Tripathi and Shri Satyendra K. Tiwari, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents are present.</p> <p>Rent agreement has not been filed yet. Let it be filed within two weeks.</p> <p>As prayed, three weeks further time is granted to file Counter Affidavit.</p> <p>List on <b>14.02.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 18)**

**O.A. No. 512 of 2022**

**Sub. Tarak Prasad (Retd.)**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record.</p> <p>Heard Shri Ravi Kumar Yadav, Ld. Counsel for the applicant and Shri Arun Kumar Sahu, Ld. Counsel for the respondents.</p> <p>The applicant has filed instant Original Application under Section 14 of the Armed Forces Tribunal Act, 2007 for issuing direction to the respondents to conduct Re-Survey Medical Board and assess the disablement of the applicant's disability.</p> <p>Briefly stated, applicant was enrolled in the Army Medical Corps of Indian Army on 06.09.1984 and discharged on 30.09.2012 (AN) on completion of terms of engagement under Rule 13 (3) Item I (i) of the Army Rules, 1954 after rendering 28 years and 25 days of service. At the time of discharge from service, the applicant was in SHAPE-I. After the discharge the applicant preferred representation dated 27.09.2021 for holding Re-Survey Medical Board for assessment of his disability '<b>L4 LYSIS WITH GRADE-I SPONDYLOLISTHESIS L4 L5 WITH RT L4 RADICULOPATHY</b>' which was rejected by the respondents vide letter dated 10.02.2022. It is in this perspective that the applicant has preferred the present Original Application.</p> <p>Ld. Counsel for the applicant submits that Original Application may be disposed of with direction to the respondents to hold Re-Survey Medical Board (RSMB) to assess the disability of the applicant for deciding entitlement of the disability pension.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer on the premise that since the applicant was discharged in medical category 'SHAPE-I' there is no occasion to hold Re-Survey Medical</p>

Board. He pleaded for dismissal of the Original Application.

Upon hearing submission of Ld. Counsel of both sides and considering the facts and circumstances of the case, we **dispose of** the Original Application finally with the direction to the respondents to conduct Re-Survey Medical Board (RSMB) of the applicant to assess his disability for deciding entitlement of disability element of disability pension. Respondents are further directed to give effect to the order within four months from the date of receipt of a certified copy of this order.

Let copy of this order be provided to the learned Counsel for the parties.

**(Vice Admiral Atul Kumar Jain)**  
Member (A)

**(Justice Umesh Chandra Srivastava)**  
Member (J)

AKD/-

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 19)**

**O.A. No. 514 of 2022**

**Ex. Sub. Maj. Fateh Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record.</p> <p>Heard Shri Mahendra Kumar Singh, Advocate holding brief of Shri Pankaj Kumar Shukla, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents.</p> <p>The applicant has filed this Original Application under Section 14 of the Armed Forces Tribunal Act, 2007 for issuing direction to the respondents to grant disability element of disability pension from the date of SOS i.e. 02.07.2001 (date of discharge 01.07.2001) and benefit of rounding off disability pension @50% in light of Hon'ble Apex Court.</p> <p>Briefly stated, applicant was enrolled in the Indian Army on 07.11.1973 and discharged on 30.05.2001 (AN) in under Rule 13 (3) Item I (i)(n) of the Army Rules, 1954. At the time of discharge from service, the Release Medical Board (RMB) held at Military Hospital, Amritsar on 02.02.2001 assessed his disability 'NIDDM' @15-19% for two years and opined the disability to be neither attributable to nor aggravated (NANA) by service. The applicant's claim for grant of disability pension was rejected vide letter dated 28.02.2002.</p> <p>During the course of hearing Ld. Counsel for the applicant submits that Original Application may be disposed of with direction to the respondents to hold Re-Survey Medical Board (RSMB) to assess the disability of the applicant for deciding entitlement of the disability pension to which the learned counsel for the Respondents has no objection.</p> <p>Accordingly, we <b>dispose of</b> the Original Application finally with the direction to the respondents to conduct Re-Survey Medical Board (RSMB) of the applicant to assess his disability for deciding entitlement of disability pension. Respondents are further directed to give effect to</p>

the order within four months from the date of receipt of a certified copy of this order.

Let copy of this order be provided to the learned Counsel for the parties.

**(Vice Admiral Atul Kumar Jain)**  
Member (A)

**(Justice Umesh Chandra Srivastava)**  
Member (J)

AKD/-

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 20)**

**O.A. No. 526 of 2022**

**Ex. L/NK Indra Kant Jha**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Manoj Kumar Awasthi and Shri Anshuman Srivastava, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p>As prayed, two weeks further time is granted to file Counter Affidavit as a last chance.</p> <p>List on <b>31.01.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 21)**

**O.A. No. 574 of 2022**

**Ex. Rifleman Yam Kumar Shrestha**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Rohit Kumar, Ld. Counsel for the applicant and Ms. Appoli Srivastava, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is <b>dismissed</b>.</p> <p style="text-align: center;">For orders, see our order passed on separate sheets.</p> <p style="text-align: center;">Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>



**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 22)**

**O.A. No. 575 of 2022**

**Col. Bibhash Chandra Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record.</p> <p>Heard Shri R. Chandra, Advocate holding brief of Shri Yashpal Singh, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents.</p> <p>Original Application is <b>allowed</b>.</p> <p>For orders, see our order passed on separate sheets.</p> <p>Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 23)**

**O.A. No. 646 of 2022**

**Lt. Col. Krishna Murari (Retd.)**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Vinay Kumar Pandey, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit.</p> <p>List on <b>07.02.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 24)**

**O.A. No. 689 of 2022**

**L/Hav. Vijay Pal Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Vinay Pandey, Ld. Counsel for the applicant and Shri Ashish Kumar Singh, Ld. Counsel for the respondents are present.</p> <p>This Original Application has been filed against the order of discharge. The jurisdiction of the case, as per roster, lies with Court No. 2.</p> <p>Registry is directed to list the case on <b>08.02.2023</b> before the appropriate Bench.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 25)**

**O.A. No. 744 of 2022**

**Col. Arun Suryavanshy (Retd.)**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Ved Prakash Pandey and Shri Rakesh Kumar Singh, Ld. Counsel for the applicant and Shri Ashish kumar Singh, Ld. Counsel for the respondents are present.</p> <p>As prayed, three weeks further time is granted to file Counter Affidavit. List on <b>15.02.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 26)**

**O.A. No. 762 of 2022**

**Ex. Nk. (TS) Mahesh Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Counter Affidavit filed by the respondents is taken on record. Heard Shri Vijay Kumar Pandey, Ld. Counsel for the applicant and Dr. Shailendra Sharma Atal, Ld. Counsel for the respondents. Original Application is <b>allowed with further direction to conduct Re-Survey Medical Board.</b> For orders, see our order passed on separate sheets. Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 27)**  
**O.A. No. 843 of 2022**

**Ex. Hav. Sanjeev Kumar Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

Notes of the Registry	Orders of the Tribunal
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p style="text-align: center;">Counter Affidavit filed by the respondents is taken on record.</p> <p style="text-align: center;">Heard Shri Dharam Raj Singh, Dr. Ashish Asthana and Col. A.K. Srivastava (Retd.), Ld. Counsel for the applicant and Shri Asheesh Agnihotri, Ld. Counsel for the respondents.</p> <p>The applicant has filed this Original Application for the grant of disability element of disability pension in pursuance of PPO No. 180201900621-0202 along with @12% interest on arrears, grant Retirement Gratuity and ECHS amount along with @12% interest on arrears in pursuance of PPO No. 180202102072 Suffix 0100 Digitally Signed on 22.06.2021, endorse the particulars of applicant's wife as SUMAN Singh, Date of Birth, Aadhaar No. In the details of Dependents in PPO No. 180202102072 Suffix 0100 Digitally Singed on 22.06.2021 and endorse the particulars of Family Pension in the column of Pensionary Details of PPO No. 180202102072 Suffix 0100 Digitally Singed on 22.06.2021.</p> <p>In Counter Affidavit the respondents have stated that applicant has been granted disability element of disability pension vide PPO No. 240210903216-1 @Rs.7,125/- with effect from 01.04.2019 and the applicant is in receipt of same. It is further stated that due to applicant's involvement in criminal case he has been granted provisional pension vide PPO No. 240210903216-1 and he is in receipt of provisional pension. Further, as per Regulation 7(a)(i) of the Pension Regulations for the Army, 2008 (Part-I) the applicant is not entitled to Gratuity until the conclusion of the case and issue of final orders in the pending case by the Lucknow Bench of Hon'ble High Court of Judicature at Allahabad. It is also stated in the Counter Affidavit that the amount of Rs.67,000/- is the contribution by the applicant towards ECHS and not the amount to be credited in applicant's account.</p> <p>In view of the above, nothing seems due to be granted to the applicant at this stage. The Original Application is, therefore, liable to be dismissed.</p> <p>Accordingly, Original Application is <b>dismissed</b>.</p> <p>Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p style="text-align: left;">AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 28)**

**O.A. No. 850 of 2022**

**Ex. Hav. Chhotelal Yadav**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Shailendra Kumar Singh and Shri Mahendra Kumar Singh, Ld. Counsel for the applicant and Shri Rajesh Shukla, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit.</p> <p>List on <b>27.01.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 29)**

**O.A. No. 851 of 2022**

**Ex. Nb. Sub. Rakesh Kumar Agnihotri**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>Heard Wg. Cdr.S.N. Dwivedi (Retd.), Ld. Counsel for the applicant and Shri J.N. Mishra, Ld. Counsel for the respondents.</p> <p>Original Application is <b>allowed for the grant of disability element of disability pension for the second disability i.e. Primary Hypertension only.</b></p> <p>For orders, see our order passed on separate sheets.</p> <p>Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>



**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 30)**

**O.A. No. 934 of 2022**

**Ex. CPO LOG (F&A) Dheeraj Kumar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Ved Prakash, Shri Devendra Kumar and Vinay Pandey, Ld. Counsel for the applicant and Shri Rajiv Pandey, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents two weeks further time is granted to file Counter Affidavit.</p> <p>List on <b>30.01.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 31)**

**O.A. No. 330 of 2020**

**Ex. Hav. Gajendra Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing Shri Rahul Dev Tripathi, Advocate holding brief of Shri Virat Anand Singh, Ld. Counsel for the applicant and Ms. Anju Singh, Ld. Counsel for the respondents are present.</p> <p>On the request of Ld. Counsel for the respondents, the case is adjourned.</p> <p>List on <b>10.02.2023</b>.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 32)**

**O.A. No.9 of 2021**

**Vipin Kumar**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>On the case being taken up for hearing no one is present on behalf of the applicant.</p> <p>Heard Shri R.K.S. Chauhan, Ld. Counsel for the respondents.</p> <p>Original Application is <b>dismissed on merit.</b></p> <p>For orders, see our order passed on separate sheets.</p> <p>Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Sl. No. 33)**

**O.A. No. 523 of 2022**

**Ex. NK. Shiv Bahadur Singh**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p style="text-align: center;">Heard Shri Rang Nath Pandey and Shri Rahul Pandey, Ld. Counsel for the applicant and Shri Pushendra Mishra, Ld. Counsel for the respondents.</p> <p style="text-align: center;">Original Application is <b>allowed</b>.</p> <p style="text-align: center;">For orders, see our order passed on separate sheets.</p> <p style="text-align: center;">Misc. Application(s), pending if any, shall be treated to have been disposed of.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> Member (A)</p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> Member (J)</p> <p>AKD/-</p>

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No. 1 (Mentioning case )**

**O.A. No. 966 of 2022 with M.A. No. 1175 of 2022**

**Ex. MWO Jainendra Kumar Verma**  
By Legal Practitioner for the Applicant

Applicant

**Versus**

**Union of India & Others**  
By Legal Practitioner for Respondents

Respondents

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>11.01.2023</u></b> <b><u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u></b> <b><u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></b></p> <p>The case is taken up for hearing on the basis of mention made by the Ld. Counsel for the applicant.</p> <p>Heard Shri Manish Kumar Rai, Ld. Counsel for the applicant.</p> <p>In the order dated 28.11.2022 of this Tribunal in Original Application No. 966 of 2022 with M.A. No. 1175 of 2022 the applicant's rank be corrected as "<b>Ex. MWO</b>" in place of 'Ex. JWO'.</p> <p style="text-align: center;"><b>(Vice Admiral Atul Kumar Jain)</b> <b>Member (A)</b></p> <p style="text-align: center;"><b>(Justice Umesh Chandra Srivastava)</b> <b>Member (J)</b></p> <p>AKD/-</p>